

The Second Division consisted of the regular members and in addition Referee Hyman Cohen when award was rendered.

(Brotherhood Railway Carman of the United States  
( and Canada  
Parties to Dispute: (  
(Chicago and North Western Transportation Company

1. Carmen R. Whitehurst, B. Mussman, R. Thomas, J. Grice, T. Wyant and J. Lins, Des Moines, Iowa were deprived of work and wages to which entitled when the Chicago and North Western Transportation Company violated the controlling agreement when it improperly assigned train crews to perform Carmen's work of coupling air hoses and making terminal air brake test on September 28 and 29, 1984 and October 2, 5 and 7, 1984.

2. That the Chicago and North Western Transportation Company be ordered to compensate Carmen Claimants as follows:

B. Mussman	September 28 and October 7, 1984
R. Thomas	September 29 and October 7, 1984
J. Grice	October 2, 1984
R. Whitehurst	October 2, 1984
T. Wyant	October 5, 1984
J. Lins	October 7, 1984

Claim is made for two (2) hours and forty (40) minutes at the time and one-half rate of pay for the above listed dates.

FINDINGS:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

As Third Party in interest, the United Transportation Union was advised of the pendency of this case, but chose not to intervene in this dispute.


The reasoning and decision contained in Second Division Award No. 11295 applies to the instant dispute.

A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Second Division

Attest:

  
Nancy J. Dever - Executive Secretary

Dated at Chicago, Illinois this 15th day of July 1987.